

DISCIPLINARY INQUIRY

DECISION

Prof. Arjuna De Silva
Chairman
Sri Lanka Anti-Doping Agency,
No. 363/12,
Sugathadasa Stadium – Block D,
Stadium Parking Road
Sirimavo Bandaranaike Mawatha,
Colombo 14,
Sri Lanka.

SRI LANKA ANTI-DOPING AGENCY

v

CHELSEA MELANI BENDARAGE

DISCIPLINARY PANEL

- Mr. Uditha Egalahewa, PC (Chairman)
- Prof. (Mrs) Rohini Fernandopulle (Member)
- Dr. Nimal Gunarathne (Member)

Mr. Panduka Keerthinanda, Attorney-at-Law with Mrs. Jayani Jayasundara, Attorney-at-Law, for the Sri Lanka Anti-Doping Agency.

Mr. Kalinga Indatissa, President's Counsel with Ms. Aishath Eana, Ms. Razana Salih, Ms. Rashmini Indatissa, and Mr. Mahensh Senaratne, Attorneys-at-Law, for the athlete - Chelsea Melani Bendarage.

As per the UNESCO Convention, Sri Lanka is a Signatory (Member) to the WADA Code. Accordingly, Sri Lanka Anti -Doping Agency is obliged to give effect to and uphold the provisions of the WADA Code.

We the Signatories for the Sri Lanka Disciplinary Panel appointed by the Chairman, Sri Lanka Anti-Doping Agency hereby determine, adjudicate and declare our findings and the decision as follows:

Name: Chelsea Melani Bendarage

Sample Code No: 4285281

Discipline of Sport: Athletics

Village/District/Province: Galle Road, Athuruwella, Induruwa, Southern Province

Age: 17 - as at the time the sample was collected.

Nature of Offence: Adverse Analytical Finding (AAF)

SUMMARY OF FACTS

01. Miss. Chelsea Melani Bendarage (hereinafter referred to as the athlete) was tested "in competition" on the 14th October 2018 at the National Sports Festival held in Polonnaruwa, Sri Lanka. The number assigned to the sample collected is 4285281. The athlete, who was then a minor, had signed a consent form, while her mother, Mrs. Devika Lokusooriya, attested in the said form as

the athlete's representative. The said form, a copy of which is annexed hereto marked "X1", is a one paged document without any annexures to it.

02. The Athlete's urine sample bearing sample number 4285281 was sent to the National Dope Testing Laboratory (NDTL) in India (then a World Anti-Doping Agency (WADA) accredited laboratory). Sri Lanka Anti-Doping Agency (SLADA) received the report of the said "A" sample dated 01.02.2019. The sample "A" was found to be positive and the report states that:

"Adverse Analytical Finding for Oxandrolone, Epioxandrolone (Metabolite of Oxandrolone), 17b-hydroxymethyl-17a-methyl-18-nor-2-oxa-5a-androsta-13-en-3-one (Oxandrolone Long term Metabolite-1) & 17a-hydroxymethyl-17b-methyl-18-nor-2-oxa-5a-androsta-13-en-3-one (Oxandrolone Long term Metabolite-2), Anabolic steroids."

A copy of the said report is annexed to hereto marked "X2".

03. The presence of the prohibited substances in an athlete's urine sample prima facie constitutes an Anti-Doping Rule Violation under Article 2.1 of the WADA Code.

Preliminary Inquiry

04. In the event of a positive result, the athlete should be given the opportunity to face a preliminary inquiry to state whether he/she wished to request for the testing of the B sample within the prescribed period of seven days starting from the date appeared on the testing report ("X2").

05. In this case, both the accused athlete Miss. Chelsea Melani Bendarage and the Secretary of the Sri Lanka Athletics Association were informed by the letter

dated 05.02.2019 of the results of the laboratory test report ("X2") and the athlete was noticed to participate in the preliminary inquiry which was to be held on 07.02.2019.

A copy of the said letter is annexed to hereto marked "X3".

06. The athlete, her father - Mr. B.D.Chandana Saman Benderage, the Assistant Secretary of the Sri Lanka Athletics Association - Mr. Bernard Perera, and the Vice President of the Sri Lanka Athletics Association - Ms. Irangani Rupasinghe participated in the Preliminary Inquiry over the analysis of B Sample of athlete held on 07.02.2019, at the Sri Lanka Anti-Doping Agency.

A copy of the attendance sheet of the said preliminary inquiry is annexed hereto marked "X4".

07. Subsequent to the Preliminary Inquiry, the athlete (now a major) gave her consent to SLADA by a letter dated 07.02.2019 to proceed with testing the "B" sample, and consequently the "B" sample of the urine sample bearing sample number 4285281 was tested by the National Dope Testing Laboratory (NDTL) in India (then a World Anti-Doping Agency (WADA) accredited laboratory), the same laboratory which tested the "A" sample.

A copy of the said letter of consent is annexed hereto marked "X5"

Publicity

08. In the meantime, the athlete by way of a letter dated 06.03.2019 sent by her Attorney-at-Law, alleged that on the same day information about the adverse analytical finding was conveyed to the athlete, the said information also featured in several media reports in both print and electronic media, and

stated that the said publicity in the media and intense media scrutiny has severely impacted the athlete.

09. In the said letter, the Attorney-at-Law of the athlete quoted the provisions pertaining to publicity contained in the WADA Code, and highlighted the provision that "The mandatory Public reporting required in 14.3.2 shall not be required where the athlete or other Person who has been found to have committed an anti-doping rule violation is a Minor." (14.3.6), and requested SLADA to "desist sharing in public any information with regard to the investigation until the inquiry is brought to a close".

Report on "B" Sample

10. Sri Lanka Anti-Doping Agency (SLADA) received the report of the said "B" sample dated 20.03.2019. The sample "B" was found to be positive and the report states that:

"Adverse Analytical Finding for Oxandrolone, Epioxandrolone (Metabolite of Oxandrolone), 17b-hydroxymethyl-17a-methyl-18-nor-2-oxa-5a-androsta-13-en-3-one (Oxandrolone Long term Metabolite-1) & 17a-hydroxymethyl-17b-methyl-18-nor-2-oxa-5a-androsta-13-en-3-one (Oxandrolone Long term Metabolite-2), Anabolic steroids."

A copy of the said report is annexed to hereto marked "X6".

11. The athlete was informed the results of the "B" sample by SLADA, by way of the letter dated 21.03.2019.

A copy of the said report is annexed to hereto marked "X7".

Disciplinary Inquiry

12. Following the Adverse Analytical Finding of the "B" sample, this Disciplinary Inquiry Panel was appointed, and Disciplinary hearing was held on 09.05.2019, 06.06.2019, 25.06.2019, and 02.07.2019.
13. The athlete, and her father provided evidence by way of Affidavits dated 18.06.2019. The said affidavits are provided in Sinhala language. In addition, the father of the athlete provided further evidence at the Disciplinary Inquiry held on 25.06.2019.
14. The Doping Control Officer of SLADA Mrs. H.I.K.Peiris also provided evidence during the Disciplinary Inquiry.
15. Written Submissions on behalf of the athlete was submitted on 08.07.2019, and Written Submissions on behalf of SLADA was submitted on 13.08.2019. Furthermore, Written Submissions in response to the Written Submissions of SLADA on behalf of the athlete was submitted on 18.08.2019.

ANALYSIS OF THE EVIDENCE AND FINDINGS

Position of SLADA

16. SLADA's submits that the substance "Oxandrolone", which is reported to be found in both the "A" and "B" samples of the athlete, is an Anabolic Androgenic Steroid in the Prohibited List of WADA in the year 2018, which is also reflected in the SLADA Gazette of 2018. Therefore, it is a violation of Article 2.1 of the WADA Code.
17. SLADA further submits that the athlete has not challenged the chain of custody in this case, and considering the adverse finding and the surrounding facts, SLADA submits that the athlete had control over what was entering her body, and the athlete had the intention of enhancing her performance by taking the prohibited substance. and therefore in lieu of strict liability for the violation of Article 2.1 of the WADA Code, the athlete must be banned for a minimum period of four years.

18. Furthermore, SLADA also submits that the athlete was aware of the rules and regulations which should be obeyed by every sportsmen or sportswomen in order to play fair and true, and citing the decision of the CAS in the case WADA v SLADA and Don Dinuda Dilshani Abeysekara [CAS 2015/A/4273], submitted that the athlete being a minor does not warrant leniency and/or mitigation pertaining to the sanctions.

Position of the Athlete

19. The athlete in her Affidavit dated 18.06.2019, affirmed *inter alia* that she had in no way taken any performance enhancing substances, and she had only taken protein and vitamin supplements recommended to her by her parents. It is further evident from the said Affidavit that the athlete, at the time the sample was obtained, was 17 years old, and thus a minor, and she was under the care of her parents who had accompanied her to all meets and competitions.
20. The father of the athlete in his Affidavit dated 18.06.2019, and his evidence before the Disciplinary Inquiry, affirmed *inter alia* that it was he who had purchased protein supplements and given them to his daughter - the athlete, and he did so after witnessing that the supplement brands "NitroTech" and "MusclePharm" being sold inside the premises of the stadium where the All Island School Games Athletics Championship meet was held from the 1st to 5th of October 2018. He affirms that, although he tried to buy the product from that stall, since stocks were not available he bought the same branded product from another shop, and provided that to her daughter, the athlete.
21. The father further affirms that it is only after receiving the letter from SLADA on the 05.02.2019, he submitted the supplement product he bought, and also the same branded product from the store which was selling the same branded product inside the premises of the stadium where the All Island School Games Athletics Championship meet was held from the 1st to 5th of October 2018, for analysis at the National Narcotics Laboratory of the National

Dangerous Drugs Control Board. The certificate of analysis by the National Narcotics Laboratory confirmed that both the products contained the banned substances.

22. It was submitted on behalf of the athlete that the father of the athlete had no reason to doubt the product as the same branded protein supplement product was sold within the premises of the stadium where the All Island School Games Athletics Championship meet which is organised by the Ministry of Sports, and thus he was confident that if a product is sold at the premises of an event organised by the Ministry of Sports, it is a safe product to be used.
23. Furthermore, it was submitted on behalf of the athlete that serious procedural violations, and dereliction of duties and responsibilities on the part of the Doping Control Officer (DCO), and the Chaperone have taken place during the collection of the urine sample of the athlete. In the elaborate written submissions submitted on behalf of the athlete, it is stated that the athlete was not made aware of her rights before obtaining her consent and the urine sample for the doping test. It is further submitted that this position is substantiated by the testimony of the DCO, that it was not her duty to inform the athlete of her rights and responsibilities, and corroborated by the testimony of the mother of the athlete, who in providing evidence before this panel affirmed that she, as the guardian of the minor, was never informed about the athlete's rights.
24. It is further submitted on behalf of the athlete that even the "Athlete's consent form" provided by SLADA to the athlete at the time of collection of the sample is a near identical form of the WADA Doping Control Form, however, the annexures to the WADA Doping Control Form, which contained express information pertaining to the rights of the athlete was not provided in the form SLADA provided to the athlete, and it is alleged on behalf of the athlete that this is a wilful and illegal omission on the part of SLADA, which does not meet the standards prescribed by WADA.

Findings

25. Article 2.1.1 of the WADA Code provides that:

“it is each *athlete’s* personal duty to ensure that no *Prohibited Substance* enters his or her body. *athletes* are responsible for any *Prohibited Substance* or its *Metabolites* or *Markers* found to be present in their *Samples*. Accordingly, it is not necessary that intent, *fault*, negligence or knowing *use* on the *athlete’s* part be demonstrated in order to establish an anti-doping rule violation under Article 2.1.”

It is established that Article 2.1 of the WADA Code imposes strict liability on athletes where urine/blood samples collected from an athlete have produced adverse analytical results. The rationale in imposing strict liability is elaborately discussed in the decision of the CAS in USA Shooting & Quigley v International Shooting Union (UIT) [CAS 94/129], and this panel acknowledges the said dictum of the CAS.

26. However, Article 10.4 of the WADA Code provides that:

“if an *athlete* or other *Person* establishes in an individual case that he or she bears *no fault or negligence*, then the otherwise applicable period of *Ineligibility* shall be eliminated.”

It is trite law that for the elimination of the period of ineligibility where there is No Fault or Negligence under Article 10.4 of the WADA Code, the athlete must establish how the substance entered his/her body; and show that such specified substance was not intended to enhance his sport performance.

However, it is also significant to note that although WADA Code does not expressly protect Minors, in the Appendix I of the WADA Code Minors *ipso*

facto being Minors (*i.e.* Natural Persons who have not reached the age of eighteen years) are expressly exempted from certain requirements. In explaining “No Fault or Negligence” and “No Significant Fault or Negligence”, the Appendix I of the WADA Code expressly and explicitly exempts the Minors from the requirement that the accused athlete must “establish how the Prohibited Substance entered his or her system”. Furthermore, in explaining “Fault”, Appendix I of the WADA Code provides that whether the athlete or other Person is a Minor is a factor “to be taken into consideration in assessing an athlete or other Person’s degree of fault”.

Hence, in considering the WADA Code as a whole it is evident that Minors are treated differently in assessing the “no fault or negligence” pertaining to sanction as provided for in Article 10.4 of the WADA Code.

27. At the time of the sample being taken, the athlete – Miss. Chelsea Melani Bendarage has not attained the age of 18, therefore she was then a Minor. This is undisputed by all parties. Therefore, considering the exemption provided in the Appendix I of the WADA Code, the athlete in order to establish “no fault or negligence” does not have to establish how the substance entered her body.

28. SLADA in their written submissions citing the case WADA v SLADA and Don Dinuda Dilshani Abeysekara [CAS 2015/A/4273] submitted that the athlete being a minor does not warrant leniency and/or mitigation pertaining to the sanctions. This Panel does not see any substance in this submission because the WADA Code, as demonstrated above, clearly provides exemptions and/or leniency to minor athletes in considering “no fault or negligence” pertaining to sanctions. Furthermore, in perusing the said decision in WADA v SLADA and Don Dinuda Dilshani Abeysekara [CAS 2015/A/4273] it is explicitly evident that in that matter the CAS had conceded the aforesaid consideration accorded to minors in the WADA Code (*cf.* para 42 in CAS

2015/A/4273), however, CAS held that "in the present case, no explanation has been provided and it is therefore not possible to assess the Athlete's degree of fault, and the extent of her youth or inexperience as factors in this assessment". This is not the case in the present matter. This Panel, by the evidence and testimony submitted before us, is in cognizance of the explanations provided pertaining to the athlete's degree of fault, and the youth and inexperience of the athlete. Therefore, it is the opinion of this Panel that the aforesaid decision cited by SLADA has no relevance or bearing to the present case.

29. In analysing the evidence submitted before this Panel, it is pivotal to note that the evidence submitted by the athlete including the affidavits submitted by the athlete and athlete's father was not challenged or tested or questioned or contradicted by way of cross examination by SLADA.
30. Considering that the athlete's unchallenged, untested, and not-contradicted evidence provided by way of an Affidavit, where the athlete affirms that she took a protein supplement because of the reason that it was given to her by her parents, coupled with a fact that she is a minor girl from the rural south of the Country, this Panel is satisfied that the minor athlete was not in control of what she consumed. This Panel acknowledges the fact that is not uncommon, or rather very common in Sri Lankan society for a 17 year old girl to be completely dependent on her parents. Therefore, this Panel finds no reason to suspect the minor athlete's testimony that she consumed protein supplement as it was provided to her by her parents.
31. From the evidence submitted and led before this Panel, including the affidavit and testimony of the father of the athlete, it is established that the specified substance which resulted in the adverse analytical finding originated from the protein supplements given to the minor athlete by her father. It is evident from the unchallenged or uncontested testimony of the minor athlete's father than he had bought same and/or similar brand of protein supplement which

was sold at the premises of the All Island School Games Athletics Championship meet which was conducted by the Ministry of Sports. This Panel acknowledges the reasonableness in the father of the athlete assuming the safety of the product as it was sold inside the premises of a national tournament organised by the Ministry of Sports. This Panel notes that Protein Supplements are a popular nutritional supplement, which is taken as part of the diet and are not considered performance enhancing substance *per se*.

32. Furthermore, the Panel notes the almost identical similarity by observing the pictures of the supplements purchased by the father, and the one sold within the premises of the national sporting event as submitted on behalf of the athlete, and also the corresponding reports obtained from the National Narcotics Laboratory of the National Dangerous Drugs Control Board. The certificate of analysis by the National Narcotics Laboratory confirmed that the identical product bearing the brand "NitroTech" sold within the premises of the national sporting event, and the identical product bought by the athlete's father contained banned substances.
33. This Panel observes that the athlete and her family hail from the rural South of the country, and are not sufficiently conversant in English. It is not unreasonable, in the view of this Panel, that the father of the athlete presumed if a particular brand of protein supplement is sold inside the premises of a national tournament organised by the Ministry of Sports where the premises is under the complete control of the organisers, that such supplement is safe for the consumption of the athletes.
34. In this disciplinary inquiry SLADA has not challenged or contradicted the aforesaid position of the father of the athlete. However, SLADA submits that the said protein supplement products in question are not registered under the Medical Regulatory Board "as per the research done by SLADA Research Officers".

35. It is noteworthy that CAS in *A. v Federation Internationale de Lutttes Associees [CAS 2000/A/317]* held that mere fact that mislabelled supplement will not excuse a doping violation. CAS held that:

“An athlete cannot exculpate himself/herself by simply stating that the container of the particular product taken by him/her did not specify that it contained a prohibited substance. It is obvious that the sale of nutritional supplements, many of which are available over the internet and thus sold without an effective governmental control, would go down dramatically if they properly declared that they contain (or could contain) substances prohibited under the rules governing certain sports. Therefore, to allow athletes the excuse that a nutritional supplement was mislabelled [sic] would provide an additional incentive for the producers to continue that practice.”

36. In the present case, the aforesaid dictum pertaining to mislabelling does not apply because the product was visibly and openly allowed to be sold by the Ministry of Sports in an open stall inside the premises where a national athletics tournament was taking place. It would be perverse and absurd to assume that a layman must be sceptical about a product openly sold at the premises which is under the control of the Ministry of Sports. This panel acknowledges that athletes, and their support personnel must be vigilant as to even inadvertent doping risks, but no law, rule, or regulation may require person to live in a state of paranoia, being cynical and in fear of everything.

37. A protein supplement product or brand openly sold at the premises under the control of the Ministry of Sports *ex facie* creates trust and faith as to the quality of the product. SLADA submitted that their “Research Officers” have found, albeit long after the tournament, that the said product was not registered with the “Medical Regulatory Board”. This Panel believes that SLADA being the statutory body charged with the responsibility to “take such measures as are required for eradicating doping in sport”, and the Ministry of Sports which is the State’s executive organ in charge of sports must have acted far more

responsibly and in a precautionous manner in allowing dubious products which are not registered with the "Medical Regulatory Board" to be sold inside the premises at a national sporting event. In such circumstances this Panel finds it perverse to find a layman in fault or negligence in purchasing a product and/or brand which was allowed to be openly sold inside the premises at a national sporting event.

38. Therefore, considering the peculiar circumstances of this case, taking into consideration of all the evidences, explanation, and arguments submitted by both parties, and for reasons set out above, this Panel is satisfied that the athlete and/or her parents have successfully established that they bear *no fault or negligence* in consuming the said protein supplement which caused the adverse analytical finding.
39. Moreover, this Panel considers it important to address the procedural impropriety alleged by the athlete pertaining to the obtaining of consent from the her to obtain her urine sample. SLADA has not contradicted the fact that only a one paged form which is only in English, titled "Sri Lanka Anti Doping Agency - Doping Control Form" was provided to obtain the minor athlete's consent. In the said form the athlete's signature is obtained under a printed declaration which reads as "I hereby acknowledge that I have received and read this notice including the athlete rights and responsibilities text on the overleaf of copy 1, and I consent to provide sample(s) as requested (I understand that failure or refusal to provide a sample may constitute an anti-doping violation)". Although this mentions about "athlete rights and responsibilities text on the overleaf", there were no such document or annexure was provided to the athlete.
40. It is also further evident from the testimony of the Doping Control Officer of SLADA Mrs. H.I.K.Peiris, that the she has not informed the rights and responsibilities of the athlete to the athlete and/or her guardian (in this case

the mother of the athlete), and she was further heard to say that it was not her duty to do so.

41. This Panel notes that Article 5.5 of the WADA Code provides that:

“All *testing* shall be conducted in conformity with the international Standard for Testing and investigations.”

And, in Article 5.2 (c) of the WADA Code International Standard for Testing and Investigations (ISTI), which is a mandatory International Standard developed as part of the World Anti-Doping Program, provides that:

“Notification of *Athletes* starts when the *Sample* Collection Authority initiates the notification of the selected *Athlete* and ends when the *Athlete* arrives at the *Doping Control* Station or when the *Athlete's* possible Failure to Comply is brought to the *Testing* Authority's attention. The main activities are:

....

(c) Informing the *Athlete* that he/she has been selected to provide a *Sample* and of his/her rights and responsibilities;”

42. Therefore, reading Article 5.5 of the WADA Code along with the provisions of the ISTI makes it clear that informing the athlete of his/her rights and responsibilities prior to the collection of the sample is mandatory.

43. It was brought to the notice of the Tribunal by the athlete that, the sample doping control form of WADA, which is bilingual (*i.e.* in English. and

French), and contains an annexure stipulating the rights and responsibilities of the athlete.

44. This Panel observes that the form submitted by SLADA is identical to the first page of the sample form of WADA, although the SLADA form is in only English. However, the SLADA form does not contain the second page which stipulates the rights and responsibilities of the athlete, which is a mandatory requirement under Article 5.5 of the WADA Code read along with the ISTI. In addition, it is evident from the testimonies before this Panel that the rights and responsibilities of the athlete has not even been conveyed verbally let alone in writing to the minor athlete and/or her mother who was present.

45. Hence, this Panel finds that grave omission on the part of SLADA constitutes serious procedural impropriety which is not only a breach of the WADA Code, but also a violation of the principles natural justice.

46. It is pivotal at this juncture to iterate the dictum of Lord Wright in *General Medical Council v Spackman* [1943] AC 627:

"If the principles of natural justice are violated in respect of any decision it is, indeed, immaterial whether the same decision would have been arrived at in the absence of the departure from the essential principles of justice. The decision must be declared to be no decision".

47. In light of the aforesaid dictum, this Panel finds that the obtaining of the consent of the minor athlete and consequently obtaining her urine sample is done in violation of the procedural requirements and natural justice, and thus unlawful, and anything flows from that too has no avail in law.

48. The Panel also further notes that the form being only in English is in derision of the Constitution of Sri Lanka, and the language policy of the country. SLADA being a statutory creature is subject to the Constitution and the

language policy of Sri Lanka. Chapter IV of the Constitution provides Sinhala and Tamil to be the National, and Official Languages of Sri Lanka, and English is stipulated to be only a link language. Therefore, it is a Constitutional requirement that SLADA must function in the official languages of Sri Lanka. This Panel iterates the importance of this is not merely because this is a technical requirement, but a dire practical necessity in the context of the Sri Lankan society beyond the urban elites.

49. This Panel iterates in the strongest and most certain terms that it is essential for SLADA to provide its "Doping Control Form" in both the official languages of Sri Lanka, along with the rights and responsibilities of the athletes annexed to it in both the official languages of Sri Lanka.

SANCTION

50. For the aforesaid reasons, we, the Sri Lanka Anti-Doping Disciplinary Panel is of the unanimous view that the minor athlete and/or her parents have satisfactorily established that he or she bears *no fault or negligence*, and in accordance with the provisions in Articles 10.4 and 10.5 of the WADA Code, recommends a reprimand and no period of ineligibility.

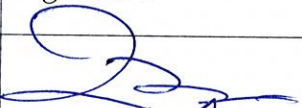
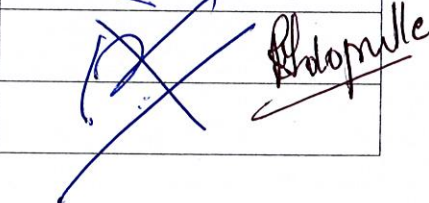
51. We severely warn the athlete to avoid from taking any supplements which may have contained Prohibited Substances and before taking or injecting anything into her body to make sure whether it contains Prohibited Substances or not. As an athlete competing at the national and international levels, she owes a duty and responsibility in this regard. She should improve her knowledge not only on the Prohibited Substances, but also on the Prohibited List published and updated by WADA annually.

52. It is unfortunate that the minor athlete had to face unpleasant consequences due to the unfavorable media publicity she received after the adverse analytical finding. SLADA in their submissions have refuted the allegations made by the athlete that the publicity emancipated from SLADA. However,

even if SLADA has given publicity, technically, it is not illegal. Although SLADA is technically not restrained from giving any publicity, it is noteworthy that in the case of a minor WADA Code provides that publicity is not mandatory. Hence, this Panel iterates that SLADA has to act with utmost care and concern when a minor is faced with a doping violation, and this Panel recommends that SLADA must constrain itself from giving publicity in cases which involved minors.

53. We thank the counsels, witnesses, and administrative staff for their assistance provided to this Panel throughout this disciplinary inquiry proceedings.

On this 28 Day of Oct 2019, at Colombo, Sri Lanka.

Name	Designation in the Panel	Signature
Mr. Uditha Egalahewa, P.C.	Chairman	
Prof. Rohini Fernandopulle	Member	
Dr. Nimal Gunarathne	Member	

SRI LANKA ANTI DOPING AGENCY X1

DOPING CONTROL FORM

U01

TEST AUTHORISED BY **SLADA**
 SAMPLE COLLECTION AUTHORITY **SLADA**
 RESULTS MANAGEMENT AUTHORITY **SLADA**

1. ATHLETE INFORMATION

FAMILY NAME **BENDARAGE** GIVEN NAME **C. MELANI** DATE OF BIRTH **31/01/2001**
 NATIONALITY **Sri Lankan** SPORT DISCIPLINE **100x4, 100m** ATHLETE ID PROVIDED? YES NO DOCUMENT TYPE **NIC**
 ADDRESS **Galle Rd, Athurugwella, Indurawa** DOCUMENT NUMBER **200153103060**
 COUNTRY **Sri Lanka** CONTACT TEL (INCL. COUNTRY CODE) **(94) 715210595** COACH'S NAME **R.S. de Silva** DOCTOR'S NAME **D. Kiriella**

2. NOTIFICATION

TYPE OF TEST REQUIRED URINE BLOOD DATE **14/10/2018** COUNTRY **Sri Lanka** CITY **Polonnaruwa** TIME **1135**
 I HEREBY ACKNOWLEDGE THAT I HAVE RECEIVED AND READ THIS NOTICE, INCLUDING THE ATHLETE RIGHTS AND RESPONSIBILITIES TEXT ON THE OVERLEAF OF COPY 1, AND I CONSENT TO PROVIDE SAMPLE(S) AS REQUESTED (I UNDERSTAND THAT FAILURE OR REFUSAL TO PROVIDE A SAMPLE MAY CONSTITUTE AN ANTI-DOPING RULE VIOLATION).
 DDCOCHAPERONE NAME **Sumedha**
 DDCOCHAPERONE SIGNATURE **Sumedha**
 ATHLETE'S SIGNATURE *[Signature]*

3. INFORMATION FOR ANALYSIS

OUT OF COMPETITION IN COMPETITION ARRIVAL TIME AT DOPING CONTROL STATION **1150** DATE OF TEST **14/10/2018** GENDER M F TEST MISSION CODE _____
 SAMPLE 1 BLOOD **N/A** A/B _____ BLOOD SAMPLE CODE NUMBER _____ TIME _____
 SAMPLE 2 BLOOD **N/A** A/B _____ BLOOD SAMPLE CODE NUMBER _____ TIME _____
 PARTIAL SAMPLE **N/A** PARTIAL SAMPLE NUMBER _____ VOL. (ml) _____ TIME SEALED _____ ATHLETE/DCO INITIALS _____
 URINE **A/B** **4285281** VOL. (ml) **180** **1211** SPECIFIC GRAVITY **1.017**
 ADDITIONAL SAMPLE **N/A** A/B _____ VOL. (ml) _____ TIME SEALED _____ SPECIFIC GRAVITY _____
 DECLARATION OF MEDICATION USE AND BLOOD TRANSFUSIONS: LIST ANY PRESCRIPTION / NON-PRESCRIPTION MEDICATIONS OR SUPPLEMENTS, FOR E.G. BETA-2 AGONISTS AND GLUCOCORTICOSTEROIDS, TAKEN OVER THE PAST 7 DAYS (INCLUDE DOSAGE WHERE POSSIBLE) AND ANY TRANSFUSIONS RECEIVED OVER THE LAST SIX MONTHS.
Had a pinkiller for leg pain, Penadol.
 SUPPLEMENTARY REPORT FORM? YES NO NUMBER _____
 CONSENT FOR RESEARCH (OPTIONAL) IN ORDER TO HELP COMBAT DOPING IN SPORT, BY SIGNING BELOW I AGREE THAT MY SAMPLE MAY BE USED FOR ANTI-DOPING RESEARCH PURPOSES, WHEN ALL ANALYSES HAVE BEEN COMPLETED, AND MY SAMPLE WOULD OTHERWISE BE DISCARDED IT MAY THEN BE USED BY ANY WADA-ACCREDITED LABORATORY FOR ANTI-DOPING RESEARCH OF ANY TYPE, PROVIDED THAT IT CAN NO LONGER BE IDENTIFIED AS MY SAMPLE.
 I ACCEPT I REFUSE
 SIGNATURE *[Signature]*

4. CONFIRMATION OF PROCEDURE FOR URINE AND/ OR BLOOD TESTING

COMMENTS: ANY COMMENTS SHOULD BE NOTED HERE. IF NECESSARY CONTINUE ON A SUPPLEMENTARY REPORT FORM.
 SUPPLEMENTARY REPORT FORM? YES NO NUMBER _____
 I CERTIFY THAT SAMPLE COLLECTION WAS CONDUCTED IN ACCORDANCE WITH THE RELEVANT PROCEDURES
 URINE SAMPLE WITNESS NAME **Sumedha** SIGNATURE **Sumedha** URINE SAMPLE WITNESS NAME _____ SIGNATURE _____
 BLOOD COLLECTION OFFICER **N/A** NAME _____ SIGNATURE _____
 ATHLETE REPRESENTATIVE **N/A** NAME **Devika Lokusooriya** POSITION **Mother** SIGNATURE **-D. Inge**
 DOPING CONTROL OFFICER NAME **DLIHK Peiris** SIGNATURE **Peiris** DATE **18/10/2018** TIME OF COMPLETION **1214**
 I DECLARE THAT THE INFORMATION I HAVE GIVEN ON THIS DOCUMENT IS CORRECT, I DECLARE THAT, SUBJECT TO COMMENTS MADE BY SECTION 4 SAMPLE COLLECTION WAS CONDUCTED IN ACCORDANCE WITH THE RELEVANT PROCEDURES FOR SAMPLE COLLECTION I ACCEPT THAT ALL INFORMATION RELATED TO DOPING CONTROL, INCLUDING BUT NOT LIMITED TO LABORATORY RESULTS AND POSSIBLE SANCTIONS, SHALL BE SHARE WITH RELEVANT BODIES IN ACCORDANCE WITH THE WORLD ANTI-DOPING CODE.
 I HAVE READ AND UNDERSTOOD THE TEXT OVERLEAF AND I CONSENT TO THE PROCESSING OF MY PERSONAL DATA THROUGH ADAMS.
 ATHLETE'S SIGNATURE *[Signature]*

X2



NDTL	NDTL - QF - 28 A	Page 1 of 1
DOPING CONTROL ANALYTICAL REPORT		

NATIONAL DOPE TESTING LABORATORY. (WADA Accredited Lab)
 J.N. Stadium Complex, East Gate, Near MTNL Building, New Delhi - 110003.INDIA
 Ph: +91-11-24368850, 24368536, 24364142, Telefax-24365530, Email:-ndtlindia@nic.in
 website: ndtlindia.com



Certificate No. TC-7216

ANALYTICAL REPORT (CONFIDENTIAL) (Sample -"A")

Report No. 12452 / 2019
 Seq. No. 6707

Date: 01/02/2019

To,
 Dr. Shiromi Pilapitiya
 Sri Lanka Anti Doping Agency (SLADA)
 Sri Lanka
 Tel:-
 Email:- shiromitkd@yahoo.com

Fax:-

1. Testing Authority (TA)	: SLADA
2. Sample Collection Authority (SCA)	: SLADA, SRI LANKA
3. Report Management Authority (RMA)	: SLADA
4. Sports Discipline	: ATHLETICS, BOXING & KABADDI
5. Name of Competition	: 44TH NATIONAL SPORTS FESTIVAL
6. Client Address	: SLADA, SRI LANKA
7. Date of Competition / Collection	: 14/10/2018
8. Place of Competition / Collection	: SRILANKA
9. Mode of sending dope samples to National Dope Testing Laboratory	: BY COURIER(FedEx)
10. Date of receipt of sample in National Dope Testing Laboratory	: 22/10/2018
11. Confirmation that the seal of dope kit was intact (Yes / No)	: Yes
12. Sample Type	: Urine
13. Whether urine sample was sufficient for drug testing (Yes / No)	: Yes
14. Status of tests (Out of Competition / In Competition)	: In Competition
15. Date of Test Performance	: 24/10/2018 - 01/02/2019

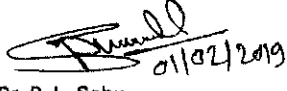
S.No	Sports and /or Discipline	Sample Code	Lab Code	Gender	Result
1	ATHLETICS	4285281	LC 185838	F	Adverse Analytical Finding for Oxandrolone, Epioxandrolone (Metabolite of Oxandrolone), 17b-hydroxymethyl-17a-methyl-18-nor-2-oxa-5a-androsta-13-en-3-one (Oxandrolone Long term Metabolite-1) & 17a-hydroxymethyl-17b-methyl-18-nor-2-oxa-5a-androsta-13-en-3-one (Oxandrolone Long term Metabolite-2), Anabolic steroids.

The above sample / samples were analyzed using accredited test methods Screening - I (NDTL-MN-01A), Screening - III (NDTL-MN-01A.1), Screening - IV (NDTL-MN-01B), Screening - VII (NDTL-MN-01D), Screening - VIII (NDTL-MN-01E), Screening - XIIA (NDTL-MN-01I) & Screening - XV (NDTL-MN-01N). These methods are in compliance with: ISO/IEC 17025:2005 and WADA International Standard for Laboratories (ISL) v.9.0

OPINION (OPTIONAL)**Note:**

- The results relate only to the items tested.
- The analysis report shall not be reproduced except in full, without written approval of the laboratory.
- The request for 'B' sample analysis may be received in NDTL within seven (7) working days of reporting analytical report of sample 'A' If no request for "B" sample testing is received, this will be taken as confirmation that the athlete has waived his/her rights and accepts the finding recorded in our analytical report.

Signature of Certifying Scientists


 01/02/2019
 Dr. P. L. Sahu
 Scientific Director

මගේ අංකය }
எனது இல. }
My No. }

ඔබේ අංකය }
உமது இல. }
Your No. }

දිනය } 2019.02.05
திகதி }
Date }

ලේකම්
ශ්‍රී ලංකා මළල ක්‍රීඩා සංගමය

සී මෙලනී බෙන්දරගේ ක්‍රීඩිකාවගේ (මළල ක්‍රීඩා) මුත්‍රා සම්පලයේ අහිතකර විශ්ලේෂණාත්මක සොයාගැනීමක් සම්බන්ධයෙන් දැනුම්දීම

14.10.2018 වන දින පොළොන්නරුවේදී පැවැත්වූ ජාතික මහා ක්‍රීඩා උළෙලේ දී සිදු කළ තහනනාම් උත්තේජක පරීක්ෂණ ක්‍රියාවලියේදී සී මෙලනී බෙන්දරගේ ක්‍රීඩිකාවගෙන් 4285281 දරණ සාම්පල අංකය යටතේ ලබා ගත් මුත්‍රා සම්පලයේ අහිතකර විශ්ලේෂණාත්මක සොයාගැනීමක් (Adverse Analytical Finding – AAF) වාර්තා වී ඇත.

ඉන්දියාවේ ජාතික උත්තේජක පරීක්ෂණ රසායනාගාරය වෙත යැවූ ලද මෙම මුත්‍රා සාම්පලයේ පරීක්ෂණ සිදු කර 2019.02.01 වන දින ශ්‍රී ලංකා උත්තේජක මර්දන නියෝජ්‍යායතනය වෙත ලබා දුන් වාර්තාවට අනුව උක්ත සඳහන් 4285281 දරණ සාම්පලයේ අහිතකර විශ්ලේෂණාත්මක සොයාගැනීමක් ලෙස ඔක්සැන්ඩ්‍රොන්, එපිඔක්සැන්ඩ්‍රොන් - (මෙටබලයිට් ඔක්සැන්ඩ්‍රොන්), 17 b-හයිඩ්‍රොක්සිමෙතිල්-17a-මෙතිල් -18-නෝර්-2-ඔක්සා-5a- ඇන්ඩ්‍රොස්ටා-13රීන්- 3 ඔන් (ඔක්සැන්ඩ්‍රොන් ලෝන්ග් ටර්ම් මෙටබලයිට් -1) ඇන්ඩ් 17a- හයිඩ්‍රොක්සිමෙතිල් -17 b -මෙතිල්-18 නෝර්-2-ඔක්සා -5a- ඇන්ඩ්‍රොස්ටා -13-රීන් -3-ඔන් (ඔක්සැන්ඩ්‍රොන් ලෝන්ග් ටර්ම් මෙටබලයිට් -2) ඇතැබැවින් ස්ටෙරොයිඩ් වාර්තා වී ඇත.


ශ්‍රී ලංකා උත්තේජක මර්දන නියෝජ්‍යායතනයේ විනය මණ්ඩලය විසින් මෙම සිදු වීමට අදාළ තීරණයක් ලබා දෙන තුරු තාවකාලික තරඟ තහනමක් මෙම ක්‍රීඩිකාවට පනවන බව දැනුම් දෙමි.

සී. මෙලනී බෙන්දරගේ ක්‍රීඩිකාවට අංක 100/7 , නිදහස් මාවත, කොළඹ 07 යන ලිපිනයේ තිබෙන ශ්‍රී ලංකා උත්තේජක මර්දන නියෝජ්‍යායතනය වෙත (ජාතික ක්‍රීඩා විද්‍යායතන පරිශ්‍රය) 07.02.2019 වන දින පෙ.ව. 10.30ට පැමිණෙන ලෙසත් ක්‍රීඩිකාව බී සාම්පල් විශ්ලේෂණ ය සඳහා සහභාගී වන්නේද නැද්ද යන්න විමර්ෂණය කිරීම සඳහාත් අවශ්‍ය බව ඇයට දැනුම් දීම සඳහා අවශ්‍ය පියවර ගන්නා ලෙස දන්වා සිටිමි.

මෙම ක්‍රීඩිකාවට ශ්‍රී ලංකා උත්තේජක මර්දන නියෝජ්‍යායතනය වෙත පැමිණීමේ දී ශ්‍රී ලංකා මළල ක්‍රීඩා සංගමයේ නියෝජිතයකු සමඟ පැමිණිය හැකි බවද දන්වා සිටිමි.

ස්තූතියි.

මෙයට විශ්වාසී,

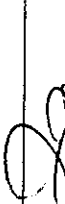




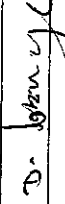



වෛද්‍ය සිවලී ජයවික්‍රම
අධ්‍යක්ෂ ජනරාල්
ශ්‍රී ලංකා උත්තේජක මර්දන නියෝජ්‍යායතනය
(අධ්‍යක්ෂ මණ්ඩලයේ අනුමැතියෙන්)

පිටපත - සී. මෙලනී බෙන්දරගේ මිය (මළල ක්‍රීඩිකා)

ATTENDANCE SHEET

Disciplinary Inquiry – Athlete Ms. C. Melani Bemdarage (Athletic)

Sample Code: 4285281 Dates - 02.07.2019 Time- 4.30 p.m. Venue – Mini Auditorium - MOS

	Name	Designation	Contact No.	Email	Signature
01.	Mr. Uditha Egalabera PC	(Attorney-at-Law)	Co-Vice Chairman		
02.	Prof. Robini Fernando - Member				
03.	Dr. Nimal Gunaratna - Member				
04.	Mahesh Senarathne	Attorney-at-Law	0775 967093	mahesh@-chambers.com	
05.	Rozana Solih	Attorney-at-Law	0776061416		
06.	chelsea melani Bemdarage		071-5810595		
07.	Chandana - S. Kumara		071-5810595		
08.	Deviika Lokasuriya		071150 4427		

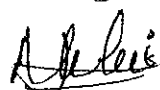
X5

C.M බෙන්ඩරගේ,
පන්සල පාර දකුණුපස,
බුදුරුව
2019/02/07

අධ්‍යක්ෂ ජනරාල්,
ශ්‍රී ලංකා දුරකථන,
මර්ධන නිලධාරී,
කොළඹ.

B ආවේණික පරීක්ෂණ සඳහා සහභාගීත්වය ආචාර්යවරයා.

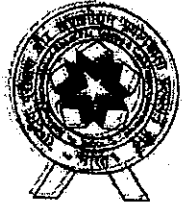
C.M බෙන්ඩරගේ වන මම B ආවේණික පරීක්ෂණ සඳහා සහභාගී
වන බව කාරුණිකව දන්වා සිටිමි. මේ සඳහා 2019/2/26, 27, 28
දින වලින් එක් දිනක දායක පරීක්ෂණය සිදු කරන ලදහ දන් කාරුණිකව
දන්වා සිටිමි. මෙම පරීක්ෂණය සඳහා 3 පාර්ශවයන් වගින් සිදු
කරන ලදහ දන්වා සිටිමි.

මෙයට


C.M බෙන්ඩරගේ.



NATIONAL DOPE TESTING LABORATORY, (WADA Accredited Lab)
 J.N. Stadium Complex, East Gate, Near MTNL Building, New Delhi - 110003, INDIA
 Ph: +91-11-24368850, 24368536, 24384142, Telefax: 24365530, Email: ndtindia@nic.in
 website: ndtindia.com



Certificate No. TC-7216

Date: 20/03/2019

Report 12754 / 2019 / B
 Seq. No. 6707

ANALYTICAL REPORT (CONFIDENTIAL) (Sample -"B")

Dr. Shiromi Pilapitiya
 Sri Lanka Anti Doping Agency (SLADA)
 Sri Lanka
 Email:- shiromirkd@yahoo.com

1. Testing Authority (TA) : SLADA
2. Sample Collection Authority (SCA) : SLADA, SRI LANKA
3. Result Management Authority (RMA) : SLADA
4. Sports Discipline : ATHLETICS, BOXING & KABADDI
5. Name of Competition : 44TH NATIONAL SPORTS FESTIVAL
6. Client Address : SLADA, SRI LANKA
7. Date of Competition / Collection : 14/10/2018
8. Place of Competition / Collection : SRILANKA
- Mode of sending dope samples to National Dope Testing : BY COURIER(FedEx)
10. Date of receipt of sample in National Dope Testing Laboratory : 22/10/2018
11. Confirmation that the seal of dope kit was intact (Yes / No) : Yes
12. Sample Type : Urine
13. Whether urine sample was sufficient for drug testing (Yes / No) : Yes
14. Status of tests (Out of Competition / In Competition) : In Competition
15. Date of Test Performance : 27/02/2019 - 20/03/2019

S.No.	Sports and /or Discipline	Sample Code	Lab Code	Gender	Result
1.	ATHLETICS	4285281	LC 185838	F	Adverse Analytical Finding for Oxandrolone, Epioxandrolone (Metabolite of Oxandrolone), 17b-hydroxymethyl-17a-methyl-18-nor-2-oxa-5a-androsta-13-en-3-one (Oxandrolone Long term Metabolite-1) & 17a-hydroxymethyl-17b-methyl-18-nor-2-oxa-5a-androsta-13-en-3-one (Oxandrolone Long term Metabolite-2), Anabolic steroids.
<p>The above sample / samples were analyzed using accredited test methods Screening - I (NDTL-MN-ITP-01A), Screening - III (NDTL-MN-ITP-01C), Screening - IV (NDTL-MN-ITP-01B), Screening - VII (NDTL-MN-ITP-01D), Screening - VIII (NDTL-MN-ITP-01E), Screening - XIA (NDTL-MN-ITP-01I) & Screening - XV (NDTL-MN-ITP-01N). These methods are in compliance with: ISO/IEC 17025:2005 and WADA International Standard for Laboratories (ISL) v.9.0</p>					
<p>OPINION (OPTIONAL)</p>					

Note:

1. The results relate only to the items tested.
2. The analysis report shall not be reproduced except in full, without written approval of the Laboratory.

Signature of Certifying Scientists

20/03/2019

Dr. P. L. Sahu
 Scientific Director

